

Message Text

PAGE 01 RIO DE 01735 01 OF 02 200232 Z

62

ACTION ARA-17

INFO OCT-01 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00 CCO-00

FILE-01 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 EB-11 AID-20

SCI-06 RSR-01 /111 W

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O R 192337 Z MAY 73

FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC IMMEDIATE 8395

INFO AMEMBASSY MEXICO

C O N F I D E N T I A L SECTION 1 OF 2 RIO DE JANEIRO 1735

SECTO 104

E. O. 11652: GDS

TAGS: OVIP XM MX

SUBJECT: SECVISIT LA: MEMORANDUM OF CONVERSATION - SECRETARY
ROGERS AND FOREIGN MINISTER RABASA

1. SUMMARY: SECRETARY AND FOREIGN SECRETARY RABASA HAD TWO HOUR MEETING AT FOREIGN SECRETARIAT MAY 12, ATMOSPHERE WAS FRIENDLY, INFORMAL AND BUSINESSLIKE, AND RANGED OVER LARGE VARIETY OF SUBJECTS. PRINCIPAL MATTERS DEALT WITH WERE SALINITY, THE CHARTER OF ECONOMIC RIGHTS AND DUTIES, ILLEGAL IMMIGRANTS, REORGANIZATION OF THE OAS, THE TREATY OF TLATELOLCO, FOREIGN INVESTMENT IN MEXICO, MULTILATERAL TRADE NEGOTIATIONS, U. S. TRADE REFORM ACT OF 1973, COOPERATIVE ANTI- NARCOTICS PROGRAM, AND SCIENTIFIC AND CULTURAL COOPERATION. END SUMMARY.

2. PARTICIPANTS: BESIDES FOREIGN SECRETARY RABASA, THE MEXICAN SIDE CONSISTED OF UNDER SECRETARY GALLASTEGUI, DIRECTORS IN CHIEF ROSENZWEIG- DIAZ. THE U. S. PARTICIPANTS WERE SECRETARY ROGERS, UNDER SECRETARY CASEY, ASSISTANT SECRETARY DESIGNATE KUBISCH, CHARGE D' AFFAIRES DEAN AND
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PAGE 02 RIO DE 01735 01 OF 02 200232 Z

POLITICAL COUNSELOR MATTHEWS.

3. INTRODUCTION: RABASA BEGAN WITH WORDS OF WELCOME AND

EXPRESSED HIS PLEASURE AT THE CHANCE TO EXCHANGE VIEWS ON BILATERAL, HEMISPHERE AND WORLD MATTERS WITH SECRETARY ROGERS, ADDING A SPECIAL NOTE OF WELCOME TO HIS OLD FRIEND KUBISCH, FORMER DCM HERE. SECRETARY REFERRED TO EXISTING CLOSE RELATIONS WITH MEXICO. HE BELIEVED TRADE MATTERS WOULD BE OF PREDOMINANT IMPORTANCE IN OUR FUTURE RELATIONS. HE NOTED THE CHANGES IN INTERNATIONAL RELATIONS, INCLUDING OPEN LINES OF COMMUNICATION WITH COUNTRIES SUCH AS THE SOVIET UNION AND PRC. HE SAID WE ENCOURAGE OTHER COUNTRIES IN THE HEMISPHERE TO PLAY A MORE IMPORTANT INTERNATIONAL ROLE IN TRADE MATTERS. SECRETARY EXPRESSED HOPE THAT OUR LEGISLATION FOR GENERALIZED PREFERENCES WOULD BE PASSED BY CONGRESS. ON BILATERAL MATTERS, HE NOTED THAT OUR BOUNDARY DIFFERENCES HAD NOW ALL BEEN RESOLVED AND SAID HE WOULD BE PRESENTING TO PRESIDENT ECHEVERRIA OUR PROPOSALS ON SALINITY. SECRETARY REFERRED TO PRESIDENT NIXON'S LETTER TO ECHEVERRIA CONGRATULATING HIM ON HIS SUCCESSFUL WORLD TOUR AND SAID THAT DURING HIS VISIT HE WOULD APPRECIATE MEXICAN VIEWS ON PRESIDENT NIXON'S EVENTUAL TRIP TO MEXICO AND OTHER COUNTRIES OF THE HEMISPHERE. IN PARTICULAR IT WOULD BE USEFUL TO HAVE MEXICO'S SUGGESTIONS AS TO WHETHER THIS TRIP SHOULD BE A JOINT MEETING AMONG CHIEFS OF STATE AT ONE LOCATION OR A TRIP TO VARIOUS COUNTRIES IN A SERIES, AND ALSO WHAT THE TIMING SHOULD BE.

4. SALINTY: RABASA, WHO HAD A PREPARED AGENDA BEFORE HIM, SUGGESTED WE DISCUSS BILATERAL MATTERS FIRST, BEGINNING WITH SALINTY. HE SAID HE AND PRESIDENT ECHEVERRIA APPRECIATED MR. NIXON'S CLOSE PERSONAL INTEREST IN THIS PROBLEM AND THE FACT THAT HE HAD LIVED UP FAITHFULLY TO EVERY COMMITMENT MADE DURING THE JUNE 1972 MEETING OF THE TWO PRESIDENTS, INCLUDING (1) IMMEDIATE LOWERING OF SALINITY BY 100 PPM, (2) FORMATION OF BROWNELL TASK FORCE AND ITS VISIT TO MEXICO, AND (3) PRESENTATION OF PROPOSAL WHICH SECRETARY HAD BROUGHT WITH HIM. RABASA AGREED THAT PRESIDENT ECHEVERRIA WOULD NOT BE ABLE TO COMMENT ON THE PROPOSAL IMMEDIATELY AND SAID IT WOULD BE CAREFULLY
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PAGE 03 RIO DE 01735 01 OF 02 200232 Z

CONSIDERED BY A LIMITED GROUP OF HIGH-LEVEL ADVISERS FROM THE FOREIGN SECRETARIAT, HYDRAULIC RESOURCES SECRETARIAT, AND THE PRESIDENCY.

5. SECRETARY SUGGESTED FOLLOWING PROCESS OF CONSIDERATION OF OUR PROPOSAL: FIRST, IT WOULD BE SUBMITTED IN GENERAL TERMS TO PRESIDENT ECHEVERRIA MAY 13 FOR STUDY BY MEXICAN GOVERNMENT; SECOND, IF DESIRED BY GOM, MR. BROWNELL WOULD RETURN TO MEXICO FOR FURTHER DISCUSSIONS WITH THE GOM END OF MAY OR EARLY JUNE; AND THIRD, USG WOULD SUBMIT FINAL PROPOSAL TO CONGRESS FOR LEGISLA-

TIVE AUTHORITY AND NECESSARY APPROPRIATIONS. RABASA SAID HE WOULD PLAN TO GO TO WASHINGTON TO DISCUSS THE PROPOSAL FURTHER AFTER SECRETARY HAD FINISHED HIS TOUR, AND WOULD HOPE TO COME TO FINAL AGREEMENT WITHIN A REASONABLE PERIOD-- SAY THREE MONTHS. SECRETARY SUGGESTED AUGUST OR RIGHT AFTER LABOR DAY AS DESIRABLE TARGET DATE FOR FINAL AGREEMENT. HE SAID WE INTENDED TO PRESENT A CONCRETE AND FINAL PROPOSAL, WHICH IS WHY WE HAVE USED THE EXPRESSION " PERMANENT, DEFINITIVE AND JUST SOLUTION".

6. WITH REGARD TO PRESS TREATMENT, SECRETARY URGED STRONGLY AGAINST ANY PUBLIC AIRING OF THE DETAILS OF THE PROPOSAL TO AVOID NEGOTIATIONS IN PUBLIC, TO WHICH RABASA TOTALLY AGREED. SECRETARY THEN READ STATEMENT HE PROPOSED TO MAKE FOLLOWING MEETING WITH PRESIDENT ECHEVERRIA, WHICH RABASA SAID WOULD BE SATISFACTORY WITH DELETION OF REFERENCE TO WELLTON- MOHAWK WATERS, AND SECRETARY AGREED TO DROP SUCH REFERENCE.

7. CHARTER OF ECONOMIC RIGHTS AND DUTIES
RABASA THEN TURNED TO CHARTER AND REVIEWED ITS HISTORY AND PRESENT STATUS. HE HOPED THAT THE U. S. WOULD PLAY A MORE ACTIVE ROLE IN FUTURE DISCUSSIONS OF PROPOSAL IN CONTRAST TO OUR PASSIVE ATTITUDE AT GENEVA. RABASA SAID MEXICO WAS ANXIOUS TO HAVE A MEANINGFUL DOCUMENT ACCEPTABLE TO BOTH LDC' S AND DC' S. AND THAT IT HAD OPPOSED CHILE' S EXTREME DEMANDS FOR AN UNBALANCED CHARTER. HE ASKED FOR U. S. SUPPORT IN PREPARING A USEFUL DRAFT FOR THE UNGA THIS FALL AND SPECIFICALLY THAT WE HELP THEM IN THEIR EFFORTS TO AVOID PROCEDURAL IMPEDIMENTS. RABASA NOTED THAT
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PAGE 04 RIO DE 01735 01 OF 02 200232 Z

ECHEVERRIA HAD HAD RELATIVE SUCCESS IN OBTAINING SUPPORT FOR THE CHARTER DURING HIS TRIP AND ASSERTED THAT CANADA NOW SUPPORTED THE IDEA OF THE CHARTER AND THE UK HAD PROMISED TO GIVE IT SERIOUS CONSIDERATION DURING BILATERAL TALKS TO BE HELD IN MEXICO SOON.

8. SECRETARY RESPONDED THAT U. S. WAS STUDYING PROPOSAL AND WOULD CONTINUE TO DO SO. HOWEVER, SPEAKING FRANKLY, HE QUESTIONED MEANING AND PURPOSE OF WORDS " DUTIES, RIGHTS AND RESPONSIBILITIES". SECRETARY WENT ON THAT U. S. PUBLIC BELIEVES WE HAVE GIVEN A GREAT DEAL OF ASSISTANCE TO OTHER NATIONS SINCE WORLD WAR II THROUGH RECONSTRUCTION PROGRAMS, DISASTER RELIEF, CREDIT, AND AID PROGRAMS. HOWEVER, THIS HAS BEEN DONE VOLUNTARILY

AND ANY SUGGESTION THAT WE HAVE A LEGAL DUTY OR OBLIGATION TO PROVIDE SUCH ASSISTANCE HAS LITTLE APPEAL FOR THE U. S. PUBLIC AND CONGRESS. WE AGREE TO A MORAL OBLIGATION TO HELP OTHERS BUT NOT A LEGAL ONE.

9. UNDER SECRETARY CASEY POINTED OUT THERE WAS CONFUSION BETWEEN WORK BEING DONE ON THE CHARTER AND MULTILATERAL NEGOTIATIONS CURRENTLY UNDER WAY IN MONETARY AND TRADE AREAS. RABASA REPLIED THAT THE CHARTER IS IN NO WAY INTENDED TO AFFECT COMMON MARKET OR OTHER REGIONAL SYSTEMS. HE SAID MEXICO WOULD HOPE THAT THE INTERESTS OR PRINCIPLES OF OTHER ARRANGMENTS COULD EITHER BE INCORPORATED INTO THE CHARTER OR LEFT UNTOUCHED BY IT. DISCUSSION CONCLUDED WITH SECRETARY'S REITERATION OF OUR INTENTION TO CONTINUE TO STUDY THE MATTER.

10. ILLEGAL IMMIGRANTS: WHEN RABASA RAISED THIS SUBJECT, SECRETARY POINTED OUT HE HAD DEALT WITH THIS PROBLEM SINCE HE WAS DEPUTY ATTORNEY GENERAL IN FIRST EISENHOWER ADMINISTRATION. HE NOTED THAT PROBLEM HAD BEEN STUDIED TO DEATH AND HE QUESTIONED WHETHER IT WAS SOLVABLE. A SOLUTION WOULD PRESUMABLY MEAN THE DEPORTATION OF THE ROUGHLY ONE MILLION MEXICANS ESTIMATED TO BE ILLEGALLY IN THE U. S. AND SEALING OUR BORDERS AGAINST ANY FURTHER ILLEGAL IMMIGRATION. SECRETARY QUESTIONED WHETHER SUCH
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PAGE 05 RIO DE 01735 01 OF 02 200232 Z

A DEVELOPMENT MIGHT NOT CAUSE BIG PROBLEMS FOR MEXICO.

11. RABASA AND GALLASTEGUI AGREED THAT THIS WOULD NOT BE A SOLUTION. HOWEVER, GOM FELT UNDER GREAT PRESSURE FROM THE PRESS, WHICH HAD STORIES ON THIS SUBJECT ALMOST EVERY DAY, TO MAKE SOME SORT OF STATEMENT INDICATING SOME PROGRESS ON THE PROBLEM. THEY SEEMED TO BE SUGGESTING THE NEED FOR BETTER TREATMENT OF MEXICANS APPREHENDED IN THE U. S. AND A LEGAL PROCEDURE UNDER WHICH MEXICAN WORKERS COULD TAKE JOBS IN THE U. S. WHICH AMERICANS REFUSED TO DO. RABASA REFERRED TO THE SEPARATE STUDY GROUPS SET UP BY BOTH COUNTRIES AS A RESULT OF THE JUNE 1972 COMMUNIQUE AND SUGGESTED THAT MEXICAN GROUP GO TO THE U. S. SOON FOR FURTHER DISCUSSIONS WITH THEIR U. S. COUNTERPARTS TO SEE WHAT FURTHER STEPS CAN BE TAKEN. SECRETARY AGREED THAT SUCH DISCUSSIONS MIGHT BE USEFUL IN FINDING WAYS TO MAKE THE PROBLEM MORE MANAGEABLE. HOWEVER HE CAUTIONED AGAINST RAISING ANY PUBLIC EXPECTATIONS THAT PROBLEM WAS SOLVABLE.

12. RABASA THEN RAISED RODINO BILL WHICH IMPOSED PENALTIES OF UFQS. EMPLOYERS WHO KNOWINGLY HIRED MEXICAN ILLEGALS. HE SAID RODINO BILL WAS UNFAIR BECAUSE THESE NEW PENALTIES WERE MUCH LESS SEVERE THAN THOSE IMPOSED ON ILLEGAL WORKERS THEMSELVES, AND EXPRESSED BELIEF IT WOULD NOT CUT DOWN ILLEGAL IMMIGRATION ANYWAY. RABASA SAID HE WOULD SHORTLY BE SENDING EMBASSY " VERY INFORMAL NOTE" MAKING FOLLOWING POINTS CONCERNING RODINO BILL;

(1) PENALTIES ON ILLEGAL IMMIGRANTS SHOULD BE REDUCED;
(2) BILL SHOULD NOT HAVE RETROACTIVE PROVISIONS; (3) IT
SHOULD NOT RESULT IN MASSIVE EXPULSION OF WORKERS (HERE
SECRETARY INTERJECTED THAT THIS WAS WHAT BOTHERED HIM
MOST ABOUT RODINO BILL); (4) ILLEGALS SHOULD BE
RETURNED AT BORDER POINT NEAREST THEIR HOME; (5)
PROVISION SHOULD BE MADE TO ASSURE THEY RECEIVE PAY DUE
THEM; (6) JOINT EFFORTS SHOULD BE MADE AGAINST TRAFFICKERS
IN ILLEGALS; AND (7) A CONFIDENTIAL ESTIMATE SHOULD BE
MADE OF THE REAL NUMBER OF MEXICAN WORKERS NEEDED IN THE
U. S. (GALLASTEGUI SUGGESTED 350,000.) DISCUSSION
CLOSED WITH SECRETARY COMMENTING THAT IF USEFUL THINGS
COULD BE DONE WE SHOULD DO THEM, BUT WE SHOULD NOT RAISE
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PAGE 06 RIO DE 01735 01 OF 02 200232 Z

EXPECTATIONS.

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PAGE 01 RIO DE 01735 02 OF 02 200217 Z

62

ACTION ARA-17

INFO OCT-01 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00 CCO-00

FILE-01 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 EB-11 AID-20

SCI-06 RSR-01 /111 W

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O R 192337 Z MAY 73

FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC IMMEDIATE 8394

INFO AMEMBASSY MEXICO

C O N F I D E N T I A L SECTION 2 OF 2 RIO DE JANEIRO 1735

SECTO 104

13. REORGANIZATION OF OAS: RABASA SAID THAT HE HOPED
OAS SPECIAL COMMITTEE WOULD UNDERTAKE THOROUGH REVIEW
OF OAS SYSTEM INCLUDING ALL ITS TREATIES. HE HOPED
REVIEW WOULD HAVE WIDE SCOPE AND BE CONDUCTED
PRAGMATICALLY WITHOUT A LOT OF LENGTHY SPEECHES AND
REFERENCES TO BILATERAL PROBLEMS. SECRETARY TOTALLY
AGREED. RABASA SAID THAT MEXICO SUPPORTS PRINCIPLE
OF UNIVERSALITY OF OAS AND FAVORED THE PARTICIPATION

OF CANADA, CUBA AND GUYANA. RABASA WENT ON TO MAKE MEXICO'S POLICY CONCERNING CUBA'S ENTRANCE INTO THE OAS PERFECTLY CLEAR. WHILE MEXICO FAVORS CUBAN PARTICIPATION, HE KNEW CUBA HAD RUDELY REJECTED ANY THOUGHT OF RETURNING TO OAS. HE SAID THAT MEXICO WOULD NOT BE HUMILIATED BY INVITING CUBA TO DINNER WHEN IT KNEW IN ADVANCE THAT CUBA WOULD NOT ACCEPT. CLEAR IMPLICATION WAS THAT MEXICO WOULD TAKE NO INITIATIVES IN ADVANCEMENT OF CUBA'S ENTRY INTO OAS.

14. TREATY OF TLATELOLCO: RABASA REFERRED TO DISCUSSION HE HAD HAD WITH SECRETARY ON THIS SUBJECT RIDING IN THE CAR. HE SAID AS RESULT OF ECHEVERRIA'S TRIP
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PAGE 02 RIO DE 01735 02 OF 02 200217 Z

SOVIET UNION IS NOW ISOLATED IN REFUSING TO ADHERE TO TLATELOLCO, AND SAID HE HAD WORKED OUT A SCHEME WITH OPANAL TO PERSUADE SOVIET UNION TO SIGN. RABASA ASKED SECRETARY WHETHER US WOULD BE WILLING TO ENCOURAGE SOVIETS TO SIGN UP, AND SECRETARY RESPONDED " LET ME THINK ABOUT THAT."

RABASA THEN WENT ON TO EXPLAIN WHILE BRAZIL HAD SIGNED THE TREATY, IT HAD NOT COMPLETED ITS RATIFICATION PROCESS. HE SAID THERE HAD BEEN RUMORS THAT BRAZIL WOULD NOT DO SO BECAUSE IT WISHED TO CONDUCT ITS OWN NUCLEAR EXPERIEMENTS. AT THIS POINT, TELLO REFERRED TO ARTICLE BY PROF ROSTOW CONCERNING THE NUCLEAR POTENTIAL OF BRAZIL. SECRETARY COMMENTED THAT HE DID NOT THINK THERE WAS ANYTHING IN THESE RUMORS AND THAT MANY COUNTRIES BESIDES BRAZIL HAD POTENTIAL TO USE NUCLEAR POWER.

15. MEXICAN FOREIGN INVESTMENT LAW: MEXICANS HAD PREVIOUSLY PLACED COPIES OF MEXICO'S NEW FOREIGN INVESTMENT LAW AND ITS TRANSFER OF TECHNOLOGY LAW ON TABLE IN FRONT OF US PARTICIPANTS. RABASA BEGAN DISCUSSION BY EXPLAINING MEXICO'S MIXED ECONOMY AND ITS POLICY OF PAYING PROPER COMPENSATION FOR ANY EXPROPRIATIONS. HE REFERRED TO AMBASSADOR MCBRIDE'S SPEECH IN ACAPULCO QUESTIONING WHETHER MEXICO WAS " CHANGING THE RULES OF THE GAME," AND EXPLAINED THAT IN THE PAST MEXICO HAD HAD A MISHMASH OF VARIOUS LAWS AND REGULATIONS CONCERNING FOREIGN INVESTMENT AND TECHNOLOGY TRANSFER. THE NEW LAWS WERE DESIGNED TO BRING ALL PREVIOUS REGULATIONS INTO ONE DOCUMENT AND TO SET FORTH CONDITIONS UNDER WHICH

FOREIGN INVESTMENT WAS PERMITTED AND EVEN ENCOURAGED. RABASA EXPLAINED THE NEW LAW IN CONSIDERABLE DETAIL AND DISCUSSED HYPOTHETICAL APPLICATION OF IT, MAKING

THE POINT THAT THIS LAW WAS NOT RETROACTIVE.

SECRETARY COMMENTED THAT IF APPLIED SENSIBLY
AND PROGMATICALLY THE NEW LAW COULD BE HELPFUL.
WITH REGARD TO RETROACTIVITY HE NOTED THAT SUCH LAWS
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PAGE 03 RIO DE 01735 02 OF 02 200217 Z

ARE THE SOURCE OF OUR TROUBLES WITH OTHER COUNTRIES,
SUCH AS CHILE AND PERU.

16. MULTILATERAL TRADE NEGOTIATIONS: RABASA COMMENTED
THAT THE MEXICAN EXPERTS HAD RECOMMENDED AGAINST
MEXICO' S JOINING GATT, BUT IN FAVOR OF ITS PLAYING
A MORE ACTIVE ROLE IN MULTILATERAL TRADE NEGOTIATIONS.
RABASA EXPRESSED MEXICO' S DESIRE TO CONSULT MORE
CLOSELY WITH THE US ON THESE MATTERS AND SAID THAT
MR. EBERLE WOULD BE MOST WELCOME IN MEXICO TO HOLD
SUCH DISCUSSIONS. SECRETARY COMMENTED THAT THIS
MIGHT BE USEFUL AND MR. EBERLE WOULD BE INFORMED
THAT HE HAD AN OPEN INVITATION TO COME TO MEXICO.

17. US TRADE REFORM ACT OF 1973: RABASA SAID MEXICO
WAS GREATLY CONCERNED OVER WHAT MIGHT COME FROM THIS
ACT, ALTHOUGH HE KNEW PRESIDENT NIXON WOULD APPLY
THE TREMENDOUS POWERS PROVIDED BY IT IN A SENSIBLE
FASHION. RABASA SAID HE WOULD BE SENDING THE EMBASSY
A NOTE ON PROBLEMS WHICH MEXICO SAW IN THIS ACT. HE
WENT ON TO REFER SPECIFICALLY TO THE BORDER INDUSTRY
AND CITED ADVANTAGES IT HAD FOR BOTH US AND MEXICO,
INCLUDING INCREASED EMPLOYMENT IN US, LOWER PRICES,
HELP TO SMALL PRIVATE ENTERPRISES IN US AND FACT THAT
MEXICAN WORKERS IN BORDER INDUSTRY SPENT MOST OF THEIR
SALARY IN US.

SECRETARY COMMENTED THAT TRADE REFORM ACT WAS IMPORTANT PART OF
US STRATEGY FOR MULTILATERAL TRADE NEGOTIATIONS AND THAT IT
PROVIDES NECESSARY FLEXIBILITY TO PRESIDENT. HE SAID THAT ITS
PROVISIONS WOULD BE APPLIED CAREFULLY AND SENSIBLY. SECRETARY
WENT ON TO CITE OPPOSITION OF OUR LABOR UNIONS TO
BORDER INDUSTRY PROGRAM AND SAID GEORGE MEANY CLAIMED
THAT IT WAS A MEANS OF EXPORTING AMERICAN JOBS.
MEANY HAD CITED TO HIM SPECIFIC CASE OF JANTZEN SWIMSUITS
WHICH WERE NOW BEING ENTIRELY MADE ON THE MEXICAN SIDE OF THE
BORDER.

18. ANTI- NARCOTICS PROGRAM: SECRETARY EXPRESSED APPRECIATION
FOR MEXICAN COOPERATION IN THIS IMPORTANT
PROBLEM AND URGED THAT WE BOTH CONTINUE TO GIVE HIGH
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PAGE 04 RIO DE 01735 02 OF 02 200217 Z

PRIORITY TO IT. RABASA COMMENTED THAT IF, AS HAD BEEN RUMORED
IN PRESS, SOME US STATES LEGALIZE MARI
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